

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. PLAINTIFFS

NATASHA BOBB-HOYTE

(b) County of Residence of First Listed Plaintiff Kings
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorneys (Firm Name, Address, and Telephone Number)
Steven Laynas, Esquire
Laynas & Georges, P.C.
1500 JFK Blvd., Suite 1300, Phila., PA 19102; 215-851-8700**DEFENDANTS**

DICKSON HOSPITALITY, LLC d/b/a DAYS INN SCRANTON

County of Residence of First Listed Defendant Montgomery
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

PTF	DEF	PTF	DEF
<input type="checkbox"/> 1 Citizen of This State	<input type="checkbox"/> 1 Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input checked="" type="checkbox"/> 4
<input type="checkbox"/> 2 Citizen of Another State	<input checked="" type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
<input type="checkbox"/> 3 Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	REAL PROPERTY <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/ Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	CIVIL RIGHTS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	PRISONER PETITIONS <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))
			FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/ Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

<input type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from Another District (specify)	<input type="checkbox"/> 6 Multidistrict Litigation - Transfer	<input type="checkbox"/> 8 Multidistrict Litigation - Direct File
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Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. 1332**VI. CAUSE OF ACTION**Brief description of cause:
Diversity**VII. REQUESTED IN COMPLAINT:** CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.**DEMAND \$**
150,000.00CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

7-22-21

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 119 Rockaway Parkway #1F, Brooklyn, NY 11212

Address of Defendant: c/o Registered Agents, Inc., 1150 First Avenue, Suite 551, King of Prussia, PA 19406

Place of Accident, Incident or Transaction: Scranton, PA

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when **Yes** is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

I certify that, to my knowledge, the within case is / is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: _____ Must sign here
Attorney-at-Law / Pro Se Plaintiff _____ *Attorney I.D. # (if applicable)* _____

CIVIL: (Place a ✓ in one category only)**A. Federal Question Cases:**

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
- 2. FELA
- 3. Jones Act-Personal Injury
- 4. Antitrust
- 5. Patent
- 6. Labor-Management Relations
- 7. Civil Rights
- 8. Habeas Corpus
- 9. Securities Act(s) Cases
- 10. Social Security Review Cases
- 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
- 2. Airplane Personal Injury
- 3. Assault, Defamation
- 4. Marine Personal Injury
- 5. Motor Vehicle Personal Injury
- 6. Other Personal Injury (Please specify): Slip & Fall
- 7. Products Liability
- 8. Products Liability – Asbestos
- 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, Steven Laynas, counsel of record or pro se plaintiff, do hereby certify:

Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:

Relief other than monetary damages is sought.

DATE: 7-23-21

Sign here if applicable
Attorney-at-Law / Pro Se Plaintiff

33906

Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

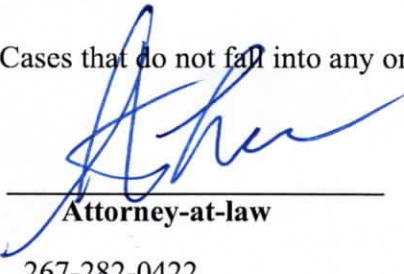
NATASHA BOBB-HOYTE	:	CIVIL ACTION
	:	
v.	:	
DICKSON HOSPITALITY, LLC d/b/a	:	
DAYS INN SCRANTON	:	NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (X)

Date 7/23/21

Attorney-at-law 

Plaintiff _____

Attorney for _____

Telephone 215-851-8700

FAX Number 267-282-0422

E-Mail Address SLaynas@Laynaslaw.com

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NATASHA BOBB-HOYTE	:	
	:	
Plaintiff	:	
	:	
v.	:	Civil Action No.
	:	
DICKSON HOSPITALITY, LLC	:	
d/b/a DAYS INN SCRANTON	:	
	:	
Defendant	:	

COMPLAINT

Background

1. Plaintiff, Natasha Bobb-Hoyte, is an adult who currently resides at 119 Rockaway Parkway #1F, Brooklyn, NY 11212.
2. Defendant, Dickson Hospitality, LLC d/b/a Days Inn Scranton, is a limited liability company organized under the laws of the Commonwealth of Pennsylvania, with a registered address c/o Registered Agents, Inc., 1150 First Avenue, Suite 551, King of Prussia, Montgomery County, PA 19406.

Jurisdiction

3. This Court has subject matter jurisdiction with respect to this matter under the provisions of 28 U.S.C. §1332, as there exists a diversity of citizenship between the parties.

4. Venue is proper in this Court under the provisions of 28 U.S.C. §1391 because defendant maintains its registered offices in Montgomery County, Pennsylvania.

Demand for Jury Trial

5. Plaintiff hereby demands a trial by jury.

Factual Allegations

6. At all times relevant to this Complaint, defendant owned, occupied, possessed and/or controlled the real property known as Days Inn Scranton, 1946 Scranton Carbondale Highway, Scranton, PA 18508, hereinafter sometimes referred to as the "business premises."

7. At all times relevant hereto, defendant was the owner and/or possessor of the premises and surrounding curtilage including the parking lot at the business premises and maintained ultimate control thereof.

8. At all times relevant hereto, defendant had a common law duty and obligation to maintain the area and surrounding curtilage including the parking lot of the business premises in a manner so as to allow reasonable ingress and egress, and to keep said area reasonably safe and accessible, i.e., free from snow, ice and other hazards.

9. On or about February 16, 2021, plaintiff was a business invitee of defendant and as such, was due the highest duty of care.

10. As plaintiff was attempting to traverse the parking lot of the business premises, the plaintiff was caused to slip, trip and fall on hills and ridges of ice and snow which had been allowed to accumulate and remain in the parking lot of the said business premises.

11. The injuries and damages hereinafter set forth were caused solely by, and were the direct and proximate result of, the negligence, carelessness and recklessness of the defendant, and were due in no manner whatsoever to any act or failure to act on the part of the plaintiff.

12. The aforesaid injuries resulting to the plaintiff occurred solely as a result of the negligence, carelessness and recklessness of the defendant, who was charged with clearing the area where plaintiff fell from hills and ridges of ice and snow and consisted of at least the following:

- (a) In failing to properly inspect the parking area where plaintiff fell to insure that it was in a safe condition;
- (b) In causing or permitting hills and ridges of ice and snow to accumulate upon the parking lot at a point where it posed an unreasonable risk of injury to the plaintiff and other individuals;
- (c) In failing to make a reasonable inspection of the parking area which would have revealed the existence of hills and ridges of ice and snow and the dangerous condition caused thereby;
- (d) In failing to give warning of the dangerous condition posed by the accumulation of hills and ridges of ice and snow, erect barricades, or take any other safety precautions to prevent injury to the plaintiff and other individuals similarly situated;
- (e) In failing to remove the hills and ridges of ice and snow and keep the parking areas clear from the accumulation of same; and
- (f) In violating the various municipal ordinances and laws of the Commonwealth of Pennsylvania pertaining to the maintenance of parking lots.

13. Solely as a result of the negligence of the defendant as aforesaid, plaintiff, was caused to trip slip stumble and fall and has sustained the following injuries, all of which are or may be of a serious and permanent nature, including displaced fracture of left elbow requiring open reduction and internal fixation, a surgical procedure; injuries to back and neck; scarring; and other severe and serious injuries, the full extent of which are not known at present, including possible aggravation and activation of pre-existing injuries.

14. Solely as a result of the defendant's negligence and carelessness, plaintiff has, and will in the future, be obliged to expend monies for medicine and medical care in order to treat and help to cure her injuries.

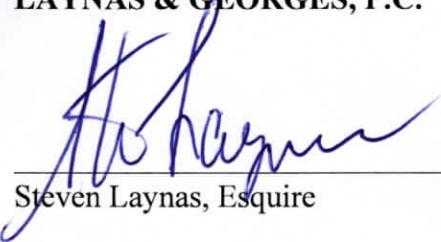
15. Solely as a result of the defendant's negligence and carelessness, plaintiff has been, and will in the future, be unable to attend to her usual and daily duties and employment, to his great financial detriment and loss.

16. Solely as a result of defendant's negligence, carelessness and recklessness, plaintiff has endured great pain and suffering and will continue to suffer in the future great pain and suffering and a loss of life's pleasures.

WHEREFORE, plaintiff demands judgment in his favor and against defendant in an amount in excess of Seventy Five Thousand Dollars (\$75,000.00), together with Court costs, interest and attorney's fees.

LAYNAS & GEORGES, P.C.

By:

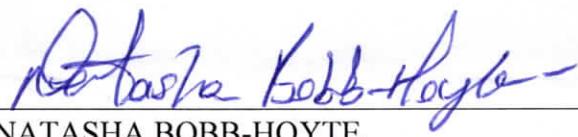

Steven Laynas, Esquire

1500 JFK Boulevard, Suite 1300
Philadelphia, PA 19102
(215) 851-8700; (267) 282-0422 (fax)
SLaynas@Laynaslaw.com

Attorneys for Plaintiff

VERIFICATION

I, NATASHA BOBB-HOYTE, plaintiff in the above matter, hereby verify that the statements made in the foregoing are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S.A. §4904 relating to unsworn falsification to authorities.



NATASHA BOBB-HOYTE